

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RONALD E. HARRIS,

Petitioner, : Case No. 3:12-cv-410

- vs -

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

WARDEN, Chillicothe Correctional
Institution,

Respondent.

REPORT AND RECOMMENDATIONS

This case is before the Court on Petitioner's Motion for Miscellaneous Relief *sua sponte* (Doc. No. 16). Because the Motion was filed post-judgment, a Magistrate Judge is limited to a report and recommendations on its disposition. 28 U.S.C. § 636(b)(3).

Petitioner seeks a 60-day extension of time to prepare a transcript in connection with his objections to the pending Report and Recommendations. The request is moot because there is no oral hearing or testimony to transcribe and therefore no transcript is necessary.

Petitioner indicates that he has previously requested copies of Doc. Nos. 1-10 in this case to be provided to him free because he is indigent. Petitioner has already been provided with one free copy of each filed document. Although he is probably indigent, Petitioner never sought *in forma pauperis* status in this case, but paid the \$5.00 filing fee when he filed (Doc. No. 2). However, even if *in forma pauperis* status had been granted, Petitioner would not be entitled to free copies of filed documents. Policy of the Judicial Conference of the United States requires that all persons requesting copies of court documents pay for them. *In re Donald L. Richard, Sr.*,

914 F.2d 1526 (6th Cir. 1990); *Hullom v. Kent*, 262 F.2d 862 (6th Cir. 1959); *Douglas v. Green*, 327 F.2d 661 (6th Cir. 1964).

Lastly, Petitioner seeks “appointment of counsel for review.” Appointment of counsel in habeas corpus cases is limited to situations where evidentiary hearings are required. In this case, the Court cannot proceed even to initial consideration because Petitioner has not obtained permission to proceed from the Sixth Circuit. The request for counsel should be denied.

June 27, 2013.

s/ *Michael R. Merz*
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(C), (D), (E), or (F). Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).